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# Congress of the United States

House of Representatives

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December 16, 2010

Ms. Lisa P. Jackson  
EPA Administrator  
U. S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460-0002

Dear Administrator Jackson:

Please see the enclosed letter from my constituent. I would appreciate if you would respond directly to my constituent about the issue raised in this correspondence. Any information and/or assistance that you can provide will be gratefully received. Thanks in advance for your interest in this matter.

Sincerely,

A handwritten signature in black ink that reads "Bill Cassidy".

Bill Cassidy  
Member of Congress

12/10/2010

**Sent via Congressional Correspondence directly to:**

**Vice President Biden:** Vice President of the United States of America

**Dept of Environmental Protection Agency:** (Secretary Lisa. P. Jackson, Dana Tullis, Sam Coleman,  
Craig Carroll, Gregory J Wilson)

**Dept. of Defense:** (Robert Gates)

Members of the Joint Chiefs: Secretary of the Navy / Secretary of the Army  
(US Coast Guard) Incident Commander Ret. Admiral Thad Allen  
Adm. James A Watson, Adm. Mary E Landry, Adm. Paul Zunkunft)

**Dept of Justice:** (Attorney General-Eric H. Holder, Jr.)

**Dept of Interior:** (Kenneth Salazar)

**Dept. of Agriculture:** (Thomas J. Villach)

**Dept. of Commerce:** (Gary F. Locke)

**Dept of Health and Human Services:** (Kathleen Sebelius)

**Dept of Energy:** (Steven Chu)

**Dept of Homeland Security:** (Janet Napolitano, Thad Allen)

Dear *Sirs/Madame's*,

I am David Fa-Kouri with Strategic Consulting Group, LLC and La Economic Foundation Inc. of Louisiana. Respectfully, I request your direct attention and understanding regarding the contents of this letter to each of you regarding threats to public safety and ecological realities which has compelled me to write this letter to each of you requesting answers to my direct questions under the Freedom of Information Act. Where as, I respectfully require a formal written response back from you collectively as a group (with individual signatory of each department) representing the United States Governments role administering the response to the crises in the Gulf to answers to the questions posed in this letter.

Please tell me what is real and not real with respect to the information which is laid out below. I would like an answer to the following questions, so I and the public at large can understand exactly how oil from the recent spill affects humans exposed to it as well as the ecology of Gulf of Mexico's coastal environment. Current reported data is insufficient and conflicting with independent scientific findings

Independent scientists have reported the waters and our shores of the Gulf to be toxic. It has been reported that the toxins introduced into Gulf waters are partially derived from applied dispersants (Corexit 9500 and 9527A) applied and mixing with crude oil introduced this summer during the BP spill event have increased the actual toxicity to the environment. I realize that some say that that the deep-water blanket of oil on the bottom of the gulf which was initially discovered by Samantha Joye of the U of GA, in the northeastern Gulf cannot be tightly linked to BP oil. It is possible that testing will show that the carbon fingerprint of the dispersed oil is now different from the non-dispersed oil test sample that the USCG has on file, due to a dispersant effect. This is BP oil and it has not all evaporated (gassed off) and the remaining contamination needs to be cleaned up not hidden so that the toxins can be removed quickly from our Gulf ecology in order to keep safe human life, our Fisheries and allow what remaining species of fish to recover; if at all possible.

Immediately following the accident, I have spent a great deal of time researching this issue, along with numerous eminently qualified associates, with hopes to be able to save our coastal zone with the use of NCP products I delivered to all as the safe solution for both the ecology and humans alike after researching the realities following the Valdez Spill and our governments response which resulted in all the people involved in the clean up to die prematurely (data available from OSHA and CDC).

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Thus understanding the realities, I pushed for a safe solution. I failed; as you our Government was not interested in interacting or dialoging. Today, 7 months after the accident, realities exist and still no resolve by our Government to clean up the oil and toxins released. Thus I have asked some serious questions which I feel must be answered so that consequential collateral damage can be minimized ( Plain talk) < innocent people do not need to die or realize they have contracted cancer due to misinformation and exposure to the toxins applied to and in our Gulf waters and Seafood>.

It is well known by all that earlier in this event, I delivered information on a bioremediation spill treatment product (non-living) called "OSE-II" to many Government, NGO's and local contacts, showing them that it was a proven, safe solution to the problem, as per US EPA NCP. Moreover it possessed unique properties such as hydraulic lift so that the sunken oil can be raised from the sediments and detoxified. Presently, games are being played at BP science labs where some are trying to intentionally not allow this proven technology be recognized, let alone allowed it to be used to clean up the oil and toxins. The same is true with efforts by the EPA folks facilitating the role of trustee to this incident. **Why?** This product can still be used to help restore Gulf waters to pre-spill conditions if our government and responsible parties wishes to actually clean up the toxins (was EPA an USCG approved for use in the Exxon Valdez spill in Alaska years ago and has even been used by BP in the Caribbean and in Africa).

The results of my research have allowed me to provide officials in Louisiana and other coastal states with this safe alternative to dispersants (Corexit 9500 and 9527A); however, all of my attempts at contact key persons were ignored or rebuffed and my efforts were fruitless. Still arriving today with greater frequency, are a number of independent scientific reports supporting my earlier concerns and need for an alternative treatment for the spill. Thus, I felt it was necessary to communicate my concerns to you.

I ask for some transparency in communications regarding this spill event and its impacts. I would like to feel confident in your leadership regarding this issue and know that you have a desire to clean up the toxins, keep our people and ecology safe. Please demonstrate a true resolve, a desire for openness as indicated by President Obama and stop playing games by attempting to hide the oil with continued use of toxic dispersants (Corexit 9500 still being applied as a mixture...what is this mixture?) in our coastal zones and start utilization of the safe solution (such as the OSEII), to be, used immediately so that our Gulf can be cleaned up.

Earlier my letters have reached the desk of the Vice President of the United States, Cabinet Secretaries, and each of you at one time or another, in the hope that you our Government understands the problem at hand and has the desire and the will to do what is right to restore the Gulf to pre-spill conditions in a timely manner. No direct response has been made from any of your offices to date, **WHY NOT?**

I have asked my Congressman Cassidy and staff to help me get these questions to each of you, as well as other coastal states congressional members whose districts are exposed to toxins to also seek answers to the direct questions I have set forth.

Coastal economies depend on a safe non toxic Gulf zone for their economic life. Detoxification must be timely so that the Gulf waters and ecology can continue to support our Seafood Industries, Recreation and Tourism industries an not expose American citizens to cancer causing toxins and pre mature death.

With respect to public safety, we need to know that our coastal residents are indeed safe and that they have not been exposed to hidden toxins; which have caused illnesses and death to some already, where as the reported illnesses have been classified as something other than toxins from the Gulf oil and dispersants (Corexit 9500 and 9527A) forming a toxic environment.

Reports are present that citizens have been exposed to these toxins by inhalation, absorption, or ingestion of food containing toxins from the Gulf accident and the apparent continued hiding of the oil with dispersants which is continuing to deliver toxins to the regions shore lines and Fisheries.

Individually, I have had conversations with a number of your staff members many times. I have been careful to confirm information or data that has come to my attention and I have been responsible and open in my reporting of that information to you.

I would appreciate being treated with the same level of respect and transparency in your responses.

Answers to questions are needed! What is real, and what is not real with respect to public safety and the toxins?

Some may question my efforts. I no longer eat Gulf seafood. I do not fish or take part in recreational activities in the Gulf. I feel that I can no longer enjoy the Gulf's beaches and fear for my children's safety and as a father this concerns me and makes me angry.

I have invested a great deal of effort in attempting to inform and educate officials in Washington about Louisiana's need for mitigation efforts to restore our coastal zone, which is so important to our Hurricane protection. In addition, the people and industries of our coast help to fulfill our national needs, especially from a national security and independence from foreign oil importation. It is clear from the perspective as a businessman and local economist, that the economic damage of the spill is not being addressed and requires action.

My position is clear. I am not a tree-hugger but a problem-solver. I feel that Energy interests our region which supports the needs of the nation and our Ecology must be able to co-exist in a sustainable manner. We have a great investment in Energy and vulnerable ecological assets sensitive to toxic exposures. Thus, the need for safe- non-toxic solutions must be utilized so that present and future accidents can be cleaned up without the deadly trade-off of sinking the oil and increasing its persistence through time. Our children will and are the recipients of failed policies and agency oversights with due diligence

Transparency and confidence in our government leadership must be restored. Please take the first steps in transparency by providing straight answers to the following in the form of timely written response to the below and not a canned reply:

**My direct concerns:**

1. Have acutely toxic chemical compounds been formed by the mixing of Gulf crude with toxic dispersants (Corexit 9500 and 9527A) applied individually or in a mixed ratio? If so, please define them.
2. PAH's and other acutely toxic compounds have been found in the air, water, and sediments. Have they evaporated off with the aid of dispersants? **Have they come ashore, contaminating our coastal communities? Have they also been delivered via toxic rain, allowing these compounds to bioaccumulate in our coastal agriculture zones?** I realize that the "Astrid Reports" say that individual components of crude oil do not bioaccumulate. I have been informed, however, that the mixing of these compounds with certain compounds in the dispersant used results in highly toxic compounds which do exhibit bioaccumulation characteristics. If my literature research is correct, then the toxins can cause damage to our coastal zone inhabitants over time through prolonged exposure. No one can control Gulf breezes and Gulf rainfall patterns. We have the technology, however, to detoxify the Gulf waters quickly to help stop the spread of toxins.

Please provide me with answers to these questions and provide some real leadership regarding public safety. I mention public safety because the living organisms found in our Gulf sustain life for our coastal residents. We eat Gulf fish and work in these waters. Our economic future is intimately tied to the Gulf. If toxins are present, I ask you to come forward and confirm or dispel the myths and misinformation regarding the issues I raise. I hope that the apparent great divergence in scientific reports between government agencies and independent scientists will be ended and that our Gulf waters will be restored to pre-spill conditions in the very near future.

**Specific Questions:**

- Is the oil spilled truly cleaned up, or has it been transformed through the evaporation and loss of lighter-chain hydrocarbons, leaving the heavier, longer-chain hydrocarbons in the water and sediments to continue delivering toxins to those exposed to them through time, which includes all the aquatic life within the Gulf waters?
- What levels of toxins can humans (particularly organs like the liver) safely tolerate if these toxins are taken in either by ingestion or by direct exposure from the air or water – via direct prolonged exposure and contact?
- Are the Gulf waters safe? If so, define “safe”, and also please define the test methods used to determine water quality and safety, to assist independent scientists to verify these results.
- Is the Gulf seafood safe? If so, define “safe”, and also please define the test methods used to determine safety, to assist independent scientists to verify these results. The independent smell test by the USDA has on occasions proven inaccurate, what test equipment is being employed; USDA Director Steve Wilson will not declare verbally.
- Were our Gulf waters safe prior the recent 4,200 square mile ban by NOAA? If so, when and please describe the testing methods and proof that it was safe. Where are the test data and a description of test methods that proved it was safe?
- Have our Gulf onshore breezes been safe, specifically from May/June, 2010 to present? Environmental monitoring by the federal government has surely occurred since the accident; thus, test results and a description of test methods and findings should be available by now; much is still missing in this area of data on numerous agency web sites. Please provide them. Independent scientists have reported the presence of PAH's, 2-butoxy-ethanol, and other toxic compounds in the air and in onshore rainfall. Please provide any data available on this issue, including their effects on humans, and confirm if the public should be concerned about bioaccumulation in commercial seafood or not. If indeed there is any risk of bioaccumulation, then know that it is possible to detoxify the soil and ground water, if necessary. Both NOAA and EPA data together with some of BP's data is contradictory within their own summations. We just need transparency regarding these issues.
- What is the impact of prolonged exposure to these chemicals on humans in terms of toxicity and illness? What are the symptoms associated with various exposures? I ask this because in the Exxon-Valdez accident, it is common knowledge that all who participated in the clean up activity died within 20+ years of the accident. Thus, understanding the chemical characteristics of these used and same dispersants mixing with oil is important - especially to humans and the ecology of this land lock Gulf region.
- With respect to water samples taken by EPA and NOAA, please provide the test data and a description of test methods regarding poly-propanol and PAH's in the water column - not just the surface waters. Reports of chemicals in the water melting the plastics or rubber products such as diving suits and gasket seals are a concern - just as fishermen discovering the bottoms of their crab traps dissolved or heavily coated with rubbery-tarry-oily masses..

Item 4: Is a thesis on the toxic effects of dispersant Corexit 9500, 9527A and light sweet crude; does it affirm that the toxicity is increased for living organisms with the use of this dispersant, as has been suggested by many and reaffirmed by the EPA NCP letters for the dispersants used as they are mixed with No 2 fuel oil; where it depicts increased toxicity when dispersants are mixed with oil.

**Strategic  
Consulting  
Group, LLC**

**Louisiana  
Economic  
Foundation, Inc**

Understanding that bacteria are living organisms, I have yet to discover any definitive proof that natural bioremediation of the weathered oil is possible. Thus the claims by EPA officials and the Coast Guard personnel to the contrary has been only a myth which is now confirmed. This is critical because it is apparent that the response administered did nothing but hide the oil and allow for vast amounts of oil and toxins to be released into the waters, atmosphere or burned off. Further it is suggested that the toxicity may increase with time after a spill, note that we have definitive proof that existed prior to the spill event that natural bioremediation was a viable alternative for use at the time, and that it can still be used even once the natural crude has been dispersed. It is still possible to clean up the water and water column including the oil on the ocean floor. EPA NCP bioremediation product (one such product is OIL Spill Eater II) which has hydraulic lifting properties that can allow the sunken oil to float to the surface for capture, detoxify the water column and restore the Gulf waters and sediment to pre spill conditions when allowed to be used. It has been recommended for use in the clean up effort by USCG Testing lab on July 10, 2010 to the FOSC, however no action was taken. Ironically, EPA has blocked its use, and for unknown reasons they continue to deny its request for use by both BP's and La DEQ's request and permit for use, **WHY?**

Today, public safety, economic hurt and ecological realities exist; the time for games is over. Our Gulf zone must be cleaned up. I realize that there is much more data of equal importance available than is provided below. I have listed four links below that substantiate the desire for clean clear concise answers to the questions asked by whom whoever is in a position to respond back, please do so copying all those listed above, so that we may all be informed simultaneously. It is my hope that this request is answered directly and in a timely fashion. Thus, I am mailing this letter to each of you thru official congressional channels; due to the serious nature of the issues in addition, I will be emailing a copy of this letter to your respective offices to ensure you receive the letter and respond back to me.

While I await your response, I will be emailing this letter to others in the science community and public officials' in state and local government alike so they can have direct access to my questions and your answers so that the safety status of the Gulf zone is established and evidence of the governments resolve to clean up the toxins is realized. After receiving your responses I will be sending this email to both those responsible for science in the relevant government departments and members of the independent science community alike. My goal is to find a convergence point in science as it relates to public safety, clean-up in the Gulf, and detoxification of our waters and shoreline - to help restore the Gulf to pre-spill conditions; together with the restoration of the Gulf's economic life blood-Oil, Fishing, Tourism and industries supporting them.

In closing I appreciate your understanding and cooperation with respect to the direct response to my questions and my strong desire to have transparency regarding the safety of the Gulf zone and its inhabitants both Human and Aquatic.

Respectfully,



David Fa-Kouri,

Consultant

Strategic Consulting Group, LLC

La Economic Foundation, Inc.

Enclosures: Sources, Links

**Key Sources:**

- 1 Report regarding the toxicity of Gulf seafood by Dr. Wilma Subra, New Iberia, LA, from the Louisiana Environmental Action Network (LEAN).
- 2 Reuters news reports of toxins in gulf (PAH's) in concentrations 40 times higher than before the accident
- 3 Government report describing toxicity studies regarding humans and defining toxicity levels of various compounds.
- 4 Thesis by an LSU Student investigating Corexit 9500 dispersant when combined with Louisiana light crude and Alaska North Slope crude.

**Links:**

- 1 <http://www.examiner.com/human-rights-in-national/gulf-shrimp-twice-fda-poison-level>
- 2 <http://www.reuters.com/article/idUSTRE6A15T520101102?feedType=nl&feedName=ustopnewsevening>
- 3 <http://www.atsdr.cdc.gov/ToxProfiles/tp123.pdf>
- 4 [http://etd.lsu.edu/docs/available/etd-1113103-122552/unrestricted/Liu\\_thesis.pdf](http://etd.lsu.edu/docs/available/etd-1113103-122552/unrestricted/Liu_thesis.pdf)

**From Dr. Wilma Subra- Independent Testing Continues In Gulf**

**Report by: Wilma Subra, Results of sampling performed by Lower Mississippi River keeper in Plaquemines Parish, LA on August 26, 2010**

The shoreline of Southern Breton Sound in Plaquemines Parish, LA, a soil/sediment sample was collected. The sediment sample contained 47.7 mg/kg Petroleum Hydrocarbons, Carbon Disulfide, Toluene, and 32 Poly nuclear Aromatic Hydrocarbons (0.039 mg/kg).



*Collecting samples in southern Breton Sound*

Small Island at the mouth of “Baptiste Collette Bayou”, Plaquemines Parish, LA had a large amount of coal like material littering the beach on the shoreline and in the near shore waters. There were a lot of birds associated with an inland tidal lagoon on the island. A soil/sediment sample collected from the shoreline contained 72.7 mg/kg Petroleum Hydrocarbons, Carbon Disulfide, and 89 Poly nuclear Aromatic Hydrocarbons (1.46 mg/kg).

**Results of aquatic organism samples taken from waters open to fishing in St. Bernard Parish, LA on August 12, 2010**



*Aquatic organisms taken from waters open to fishing in St. Bernard Parish, LA*

Shrimp tissue samples from St. Bernard Parish, LA contained 8,356 mg/kg Petroleum Hydrocarbons and one PAH (0.017 mg/kg). Flounder and Speckle Trout from St. Bernard Parish, LA contained 21,575 mg/kg (2.16%) of Petroleum Hydrocarbons. A sample of fish collected from St. Bernard Parish, LA contained 11,791 mg/kg (1.18%) of Petroleum Hydrocarbons and one PAH (0.013 mg/kg). Another fish sample contained 6,028 mg/kg Petroleum Hydrocarbons.